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Meeting Of The

ASSEMBLY INTERIM COMMITTEE
On
MUNICIPAL AND COUNTY GOVERNMENT

TRANSCRIPT OF PROCEEDINGS

On the Subject of the
Construction of
HONOR CAMP FACILITIES

Disneyland, California
November 14, 1962

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ASSEMBLY INTERIM COMMITTEE
on
MUNICIPAL AND COUNTY GOVERNMENT

Clark L. Bradley, Chairman

November 14, 1962
Disneyland Hotel
Anaheim, California

Present:

Clark L. Bradley, Chairman
Don A. Allen, Sr.
Carl Britschgi
George E. Brown, Jr.
Sheridan Hegland
Eugene G. Nisbet
Vincent Thomas

Staff:

Thomas H. Willoughby, Committee Consultant
Mrs. Cristine B. Trask, Committee Secretary

CONSTRUCTION OF COUNTY HONOR FARM FACILITIES

CHAIRMAN BRADLEY: The Committee will please come to order. Although we expect another member or two momentarily, we have a quorum present at this time and accordingly we will start our meeting.

The subject matter for today's hearing is that contained in Assembly Bill 192. This bill, introduced on January 10, 1961, would have added Section 25450.6 to the Government Code relating to county industrial farms and road camps. Assemblyman Hegland, who was the author of this measure in 1961, and who is also a member of this

committee, is here today. I would like to call on Mr. Hegland, therefore, to provide a brief introduction to our subject. Assemblyman Hegland.

ASSEMBLYMAN SHERIDAN N. HEGLAND: Thank you, Mr. Chairman. AB 192 was introduced at the 1961 Legislature by the San Diego delegation at the request of the San Diego Board of Supervisors. When this committee reviewed AB 192 in 1961, it was decided that further study was needed of the proposal. This is the reason for our hearing today. I believe that representatives of San Diego County are present and will comment in detail on the proposal which was suggested in AB 192.

BRADLEY: Thank you, Mr. Hegland. We will now call upon the representatives of San Diego County to make their presentation to the Committee.

ROBERT L. SMALL: Mr. Chairman and members of the Committee, my name is Bob Small. I represent the County of San Diego. With me is Mr. Ed Gerber from the office of the Chief Administrative Officer and Mr. James C. Reed, who is Director of County Honor Camps for the County of San Diego.

Assembly Bill 192 was introduced at the 1961 session of the Legislature primarily to assist San Diego County to meet the growing need for what we call honor camp facilities. These facilities are sometimes known as road camps or county farms. The bill would have added Sec. 25450.6 to the Government Code which would have allowed counties to construct, maintain, or improve county honor camps when the following two conditions were met. First of all, the work would have to be performed on facilities which were within the county honor

camp. In other words, we are not talking about work which would be done in other county facilities; we are speaking only of work to be done within the confines of an honor camp itself. Secondly, the bill would have applied when a major portion of the work was to be performed by the honor camp inmates.

We felt that this bill was necessary in order to cut down on the expenses involved in the expansion of honor camp facilities. The bill would also have provided for better utilization of inmate labor. Any time an inmate is given constructive work to do it aids in his rehabilitation. This is the overall objective of our camp - to rehabilitate. We do not incarcerate these people and, in effect, put them into cold storage; we try to rehabilitate them and put them back into society. We believe that this type of work does aid rehabilitation. In addition, I must also add that the bill would have corrected a situation which had developed because of the remoteness of some of our honor camps. Because of the remoteness of some of these camps, it has been difficult to obtain reasonable bids for improvement projects within them.

Honor camps are minimum-custody correctional institutions. In San Diego County these camps house approximately 300 inmates and thereby substantially lessen the load on the San Diego County jail. To build a jail is a very expensive proposition. We have just recently completed one in San Diego County and were informed just yesterday that the facility was overloaded and that prisoners were sleeping on the floor. Honor camps are designed to take some inmates out of the county jail and thus to lessen this overload. We are faced, and will be faced for the foreseeable future, with the need to develop addi-

tional honor camp facilities. We have to modernize our existing facilities, and to provide for future expansion.

At this time I would like to ask Mr. Reed to familiarize you a little with our honor camps and our particular problem in San Diego.

JAMES C. REED: Thank you, Mr. Small. For the record, my name is Jim Reed.

Mr. Gerber has a map of San Diego County on which we have placed flags to indicate to the Committee the location of our present honor camps. Starting at the top of the County you see our San Jose Camp; then our Montezuma Camp; and then the Viejas and Barrett Camps. These four camps vary considerably in age and physical condition. The two oldest ones - the San Jose Camp and the Viejas Camp - were purchased from the State of California by the County. The buildings are approximately 30 years old; they were moved several times before they arrived at their present location. It is impossible to continue to use them much longer. We are going to have to modernize and replace them in the very near future. The other two camps are located on leased property and were built from structures which the County itself had owned and which we moved onto the land. The Montezuma Camp is a very small one and the Barrett Camp is our newest one.

At the present time we will show you some slides of these camps to give you a better idea of the conditions which we are describing.

This first slide is of our oldest camp, the San Jose Camp. Here are some of the buildings which were moved into the Camp some years ago and which are obviously in need of replacement. As you

can see, a couple of them are about to collapse. This next slide shows one of the newer buildings at the same campsite which we have been constructing under the same Government Code Section at considerable handicap and hardship to the County. The barracks pictured in the next slide have facilities to handle 12 men. The next picture is a closeup shot of the same building. You can see that it is built out of cement blocks and relatively simple to construct.

ASSEMBLYMAN CARL A. BRITSCHGI: How many people did you house in this structure?

REED: Twelve men in this building.

BRITSCHGI: And in the whole camp?

REED: The San Jose Camp has facilities for 96 men.

The next picture is a shot of the Montezuma Camp. This is the one I mentioned earlier which was built out of altered buildings. You can see the whole camp and see how isolated and remote the whole countryside is. This camp is located about twenty miles from Warner's Hot Springs.

The next picture is a shot of the Viejas Camp taken from the watertank. Viejas is quite a large establishment and will house a minimum of 100 men. In addition, we have a reception center at Viejas which will house 50 to 60 inmates. The reception center, I may add, was just recently purchased from the Division of Highways of the State of California. The camp itself is located off Highway 80 about 40 miles from San Diego. It is quite an old camp; it was old when we acquired it. The State had used it several times during the construction of Highway 395. The camp buildings were moved several times and finally ended up here.

The next picture is the newest camp we have, the Barrett Camp. The buildings you see were ones which the County owned and which we moved onto the land and reconstructed and altered to suit our own needs. These barracks house 32 men each. They are sort of a modified T-shape which allows for 16 men in each wing and a central section which houses toilet facilities, showers, etc. For our purposes this is about as economical a unit as we can construct. We would like to have more units of this type but unfortunately we cannot build them at this time. This camp is located near the headwaters of Barrett Lake which is city property. The land also belongs to the City of SanDiego and we have had to lease it. Here is an interior picture of one of the barracks at the Barrett Camp. As you can see, each inmate has his own bed and locker and so on. The buildings here are of very simple construction but clean and neat. Here is a picture of the interior of one end of the mess hall. In this particular camp they have established an eating system where the men sit at small tables in groups of four. The men can sit anywhere they like but are limited to four per table. We thought this limitation was more conducive to the kind of treatment atmosphere in which we are interested. Admittedly, it does waste a little space but we decided that treatment considerations were more important than space utilization in this case. The next shot is an exterior shot of the camp office. As you can see, all of these buildings have the same general type of construction. This is a small office with some counseling rooms in it, in addition to a sick bay. It is quite an adequate office building for our purposes and we would like to be able to build more like it.

I believe that these pictures can give you a general idea of what we have now, and what we would like, and hope to build. I am sure you are aware that the tremendous population growth in California has put correspondingly large demands on all types of public facilities, including correctional and custodial facilities. Unfortunately, our image is not always a popular one and when we are competing with other departments for budget allocations, we generally come in last. Generally speaking, that is, we do not end up with enough money. To some extent we can understand and accept this situation but we feel that we can modify it a little bit with some help.

Another aspect of this problem is that in the past there has been a tendency to pass off our problems onto the State. Whenever our facilities became overcrowded, we pawned off some inmates onto the State by sending them to State or perhaps Federal prisons. It was a kind of out-of-sight, out-of-mind philosophy. We now feel differently. We feel that correction should begin at home, and that we have the best opportunity to correct these people if we can reach them initially and retain them in the community. To put an inmate in a huge prison far from his residence and his home, a place where he will very likely be idle a good part of the time, is to court failure. You would not really correct such a person. We believe that the only way we can really protect society is to do something about changing the attitude of the people who come to us and whom we have as our charges for a limited period of time. We hope that our relationship with them will enable them to go back to their communities as better citizens and good neighbors. Incidentally, about 98 percent of all of the inmates go back to the local community from county jail facilities.

We like to think that the honor camps are more than simply adjuncts of the county jail. We like to think that we are doing more than just housing the overflow. Actually, the people who come to us are selected prisoners. It was the plan of the board of supervisors that the inmates sent to the honor camps would be the ones who would be "most treatable." Inmates come to the honor camps from the county jail. We have a classification procedure in which we evaluate these people in an attempt to determine if we can help them. Then they are transferred from the county jail reception center to one of our other camps. One of the facets of our treatment program is work. Everybody works; everybody has a job and a useful job. We work at building roads; we work in the forest cutting fire trails; we repair park facilities, etc. We assist in the maintenance of some county operated camps and camp projects. In addition to the work program, of course, we have an active counseling program. Unfortunately this program is somewhat handicapped by lack of facilities. By this I mean that counselors sometimes meet with inmates in very odd places. We would rather have them meeting in odd places than not at all, but nevertheless we feel that if we had proper facilities we could make a great deal more headway in our counseling work. In addition to the general counseling program, we also have some individual treatment programs to provide special help to those who need it. We also have a program under which inmates are released from our custody to a closer supervised situation in town.

In summary, we feel that the only way to handle these people is through a treatment program. Otherwise we are just warehousing them and wasting the taxpayers' money. We hope, therefore, that we

will be able to get this measure passed by the Legislature. It will enable us to modify our facilities with the use of the inmates. I believe the legislation would make it clear that we do not intend to use the inmates anywhere except in our own honor camp facilities. In fact, they are not qualified to do other kinds of work because they would require excessive supervision. We do need this particular piece of legislation, however, in order that we can modify and modernize our existing physical facilities.

BRADLEY: Mr. Reed, would it be correct to summarize and say that the present law allows you to use inmates in connection with the maintenance and limited repair of your facilities but that what you are proposing under AB 192 is a considerable expansion of the present limitation? In other words, under AB 192 you would be able to start from the foundations up. The provisions of this legislation would allow you to do a complete construction job. Would this be a correct summary?

REED: Yes, that would be correct.

SMALL: The limitation under which we operate at the present time is found in Article V of the Government Code. This article applies to construction, alteration and repairs of county facilities.

BRADLEY: What part of the Government Code is this again?

SMALL: This is Article V of Title III of the Government Code. These are Sections 25450 and following, which relate to county construction problems generally. In counties of 5000 population, or over, they provide a limitation of $3,500 for material and of $5,000 for all other costs. Any project exceeding these costs cannot be done by the County but must be put out to bid. When we speak of honor

camps, we are talking about just the $3,500 for materials, because in this case there would be no labor costs. Thus we are limited at the present time in performing work on our honor camp facilities, whether it be construction of new facilities or replacement of old facilities, to an expenditure of $3,500. We find that the $3,500 limitation is an unrealistic one under which to work. That is why we would like it lifted. We are not so much concerned with the rapid acceleration or expansion of a construction program as we are concerned with our ability to use inmates productively. Obviously, we are not going to go out and build a $100,000 honor camp in San Diego County.

BRADLEY: Assemblyman Thomas has a question.

ASSEMBLYMAN VINCENT THOMAS: Has the board of supervisors any definite long range program for construction of these camps?

SMALL: No, not in these particular camps.

THOMAS: Is this just a piecemeal thing that you want to do?

SMALL: There has been no long term capital improvement program for honor camps. At the present time we do have a six year capital improvement program for all other county facilities. For example, San Diego County is faced with the problem of catching up with the population growth which has occurred within the last few years. Even before we finished the new courthouse we had to start on an addition to it. We have had to replace our county jail. A new location for the State highway wiped out our operations' center and we had to build a $4,500,000 structure in order to be adequate for our current needs. This is the area which the County has been emphasizing - the major capital improvements. We foresee as we pass this

peak of major capital improvements, funds will be available for other projects but there are many areas which can demonstrate the need for funds; park and recreation facilities are one good example.

THOMAS: But you have no definite plan?

SMALL: No, sir. The priorities for honor camps are quite low in comparison to those for other county facilities and county services. There hasn't been a real need to develop a long-range program.

REED: Modification of the present law would enable us to do more planning. As it is, the amount of money which may be spent on projects in which we do our own work is so limited that we cannot plan extensively for the future.

BRADLEY: I believe you mentioned that two of these camps are new. I assume that you have had some money made available from the board of supervisors for this new construction?

SMALL: We do have budgeted projects. The first slide which you saw, for example, of the San Jose Camp pictured buildings which had been obtained from the State in sections and had been put together. The next slide you saw was a concrete block facility which is replacing the older buildings as they wear out. We do have money budgeted to perform this kind of operation.

BRADLEY: Can you give the Committee some idea of the cost of these new units? What does the concrete block type of construction run per unit?

REED: The cost was $3,500 - as much as we are allowed to spend.

SMALL: We have designed replacement buildings to be built at a cost of $3,500. This money of course is spent entirely for materials; the labor is contributed by the inmates of the honor camp.

BRADLEY: Well, if you can build a unit such as you have described out of concrete blocks for $3,500, then what is your problem?

SMALL: Our problem is that the $3,500 limitation which was established some years ago is pressing down upon us. It is extremely difficult to secure all the materials which are needed to construct such a building for $3,500.

BRADLEY: Are the concrete blocks manufactured by the prisoners or are they purchased?

REED: We manufacture them ourselves.

HEGLAND: Mr. Chairman, I believe it might be profitable to emphasize that we are really talking about a total limitation of $8,500. The Legislature authorized the County to spend up to $8,500 outside of the normal competitive system. In this case, however, because labor costs cannot be figured into the total cost, the limitation is reduced to the $3,500 figure. In other words, instead of spending $8,500 of the taxpayers' money outside of the normal competitive system, in this case only 40 percent of that amount is being spent.

SMALL: Our primary objective, of course, is to use inmates on these construction projects. This is really all we are trying to save. We have these people in the camps and we want to make them work. We want to take them out of the county jail; we want to put them into a minimum security situation and use them on these construction projects in order to develop skills that they can use when they go back out into society. Some of these people have worked on construction projects on the outside; some are people who have no skills at all. This is one way to allow the skilled workers to

maintain their skills and at the same time to instruct others in the fundamentals of a useful trade.

If it is the concensus of this committee that complete abolition of the $3,500 would not be desirable, we might profitably discuss what would be a realistic limitation for materials used in this type of construction project.

BRITSCHGI: Mr. Small, I think you are involving yourself in a question of force accounts. From that standpoint I have to take a very dim view of your proposal. Aren't there any other projects that these men can work at? The point seems to be that these inmates should be busy constructing honor camp facilities. It seems to me, however, that there ought to be some other programs which could keep an inmate busy.

SMALL: No, this is not the case. Perhaps I have over-emphasized this point. Construction is only part of the total inmate work load. We have a population at the present time of about 250 in our honor camps and they are quite busy at a number of projects.

BRITSCHGI: I think, however, that you are going to have a tough time then. Your request would raise cane with the entire theory of force account.

SMALL: I believe that the distinction we are trying to establish here is that between force accounts on county projects generally and force accounts within this particular situation.

BRITSCHGI: If you get your foot in the door, however, you can never close it again. This is the problem. We've got the situation pretty much under control at the present time, and I would not like to see it opened up in this fashion. I appreciate your your problem but it seems to me that there ought to be some other

type of work which inmates can do without getting into this area of force accounts.

SMALL: They do perform a lot of other work. They work on forestry projects, on county farms, and on road projects.

BRITSCHGI: Well, what is wrong with your county that it doesn't supply the facilities which it should?

SMALL: It's just a question of priority.

BRITSCHGI: I believe the responsibility should be placed where it belongs. In other words, I think that the county should support this project if it feels it is a truly worthwhile one.

BRADLEY: Mr. Small, I would like to get a few more facts for the record. I don't believe that you have given us any estimates of the cost of rebuilding the two camps of which you spoke. Can you give us a general estimate of the total amount involved here?

REED: To rebuild the San Jose Camp would cost about $60,000.

BRADLEY: And the Viejas Camp?

REED: Much more than that at the present time.

BRADLEY: You are talking then of several hundred thousand dollars?

REED: This would be over a long range program.

BRADLEY: And I assume that you would be interested in adding another camp in time as the population of the county increases, either that or expanding existing camps?

REED: Yes, this is correct.

BRADLEY: I believe Assemblyman Allen has a question.

ALLEN: I have always had a somewhat jaundiced eye for this force account work myself. But there does come a time when you may be

confronted with certain circumstances which justify exceptions. In this case we have county prisoners living out in isolated spaces; they are out of sight and out of mind. There must be a minimum facility to take care of these people adequately. You can't just stick them out there in wigwams. I can understand how difficult it is to get a contractor to take a crew to such an isolated area for, for example, a $5,000 job. I think that here is a place where we are going to have to use a certain amount of discretion. We are going to have to do something to take special circumstances like this into consideration. This is an unusual circumstance; it is certainly not one where you would take a detail of prisoners from the county jail in order to construct some county facility. It is a relatively expensive operation to have these camps in isolated places, but, on the other hand, they have to be located in such areas to avoid the antagonism of the average citizen who resents having a jail facility near his community. What San Diego appears to be trying to accomplish is to cut some of its costs and to get some of these people at the honor camps to do something for themselves. I think this is a worthwhile objective. If the minimum amount which is allowed for materials is unrealistic, it ought to be raised. As a matter of fact, what do you want this minimum raised to? What is necessary to provide adequately for minimum materials' costs?

BRADLEY: I believe, Mr. Allen that the answer to that question is that AB 192 would take off any limitation.

ALLEN: It would take off all limitations?

BRADLEY: Yes, insofar as they apply to honor camps. The only other alternative would be to increase the present maximum which is allowed under the law.

ALLEN: I think there could be limitations imposed by the law which specified that after the county has advertised two or three times, the failure to receive a bid for a job would be sufficient grounds for the county to authorize the use of honor camp labor.

SMALL: What you are saying then is that when we would have a project which would cost more than the present $3,500 limitation we would go through the normal advertising procedure and then...

BRADLEY: Mr. Small, for the reputation of the Committee, let's have it understood that we are not suggesting a subterfuge.

ALLEN: No, this is not subterfuge.

BRADLEY: Well, I just want the record to show that we are not making any suggestions as to how the county can circumvent the limitation. We are not here for that purpose. We are here to discuss the bill.

ALLEN: My point is that you should write the law to that effect.

BRADLEY: Mr. Small, do you have any other relavent testimony you would like to present to the Committee?

SMALL: I have no new testimony but I would like to have the opportunity to summarize briefly. In essence, we have a situation in which our honor camp facilities can be expanded so long a building does not have materials in it which are worth more than $3,500. The Board of Supervisors, therefore, can say, "All right, build the building; but keep it small. Keep it under $3,500 even if you have to schedule the work over a period of 15 years." That is one alternative. The alternative which we would prefer is in effect to say, "All right, let us build these buildings which we are not going to be able to put out to

private contract anyway because of other demands upon the county budget. Allow us a limit within which we can design facilities which are suited for the rehabilitative type of work which we like to accomplish at honor camps." Under our alternative we would not be removing from the labor market any project which would otherwise go out to bid.

BRADLEY: Thank you very much, gentlemen. I will now call upon Mr. De Brunner.

WALTER J. De BRUNNER: Mr. Chairman and members of the Committee, my name is Walter J. De Brunner. I am the Business Manager of the San Diego Building and Construction Trades Council. I am one of several representatives of organized labor here today and I will make my remarks brief in consideration of those who will follow me.

> The undersigned is grateful to the Committee for the privilege of expressing the desires and opinions of the building and construction workers in San Diego County.
>
> We are unalterably opposed to AB 192 as introduced in the Assembly in 1961.
>
> Our position is based on the ever-increasing tax load and the ever-shrinking opportunity to find employment in the construction industry to pay these taxes.
>
> Where free men do the work on County industrial farms and road camps taxes are paid to offset the cost of this work. Where prisoners are employed the cost of the construction is compounded by the loss of taxes plus the loss of employment for those who support the prisoners in the first place.
>
> I repeat we are unalterably opposed to lessening the restrictions as provided in the present law. Therefore we are opposed to the intent of AB 192.
>
> We hope that the time will come when prisoners are not allowed to compete at all with their benefactors.

Mr. Chairman, in addition to this prepared statement, I would like to point out that the construction industry in San Diego County has suffered a near depression for the past two years. I think anyone

who states that a contractor would not bid a job in the mountains has failed to get the facts. We have contractors who are willing to bid a $2,000 job up in the mountains.

As far as finding work for the prisoners is concerned, we are for that. San Diego County has a relatively high fire hazard rate. There is more than sufficient work for all of the prisoners in San Diego County to try to reduce this fire hazard. We think that prisoners should be employed in this way and should not compete with us in the construction industry.

HEGLAND: Mr. Chairman, since I said a kind word about the representatives of San Diego County, I would also like to say a kind word about Mr. De Brunner's testimony. It is quite true that San Diego County seems to be experiencing its own private business adjustment period. Some people are saying that by January 1st unemployment will be above 10 percent.

De BRUNNER: One other point, Mr. Chairman, is that if one particular group from the County starts this sort of thing, other groups are going to want to utilize it also.

BRADLEY: Is it your opinion then that AB 192 might be a sort of opening wedge in this whole field?

DeBRUNNER: Yes, that is right. We are opposed to prisoners doing any of this work, and we certainly do not want them doing any more than they are at the present time.

BRADLEY: I believe Mr. Allen has a question.

ALLEN: Mr. De Brunner, you heard testimony from representatives of San Diego County that they attempted to get bids on many jobs and because of the remoteness of the facilities they could not. Have you any knowledge that such bids have gone out and have been rejected?

De BRUNNER: I have no personal knowledge that such bids have been rejected. I do know that small jobs which would be roughly equivalent in cost are being bid and built by contractors from the San Diego area. For example, we have jobs up on Mt. Laguna which is certainly about as far away from San Diego as you can get.

BRADLEY: At this point we might ask Mr. Small if bids had ever been called for for this work and been rejected.

SMALL: It is my understanding that bids were called for.

BRADLEY: These were legally advertised bids?

SMALL: I believe so. I admit, however, that this may have been a number of years ago prior to the current recession in San Diego County. I am not attempting to contradict Mr. De Brunner's statement that at the present time relatively small construction jobs are being actively sought by a number of contractors.

ALLEN: Mr. De Brunner, what would you think of my suggestion to allow prisoners to do this type of construction work if the County had called for bids at least three times and couldn't get a proper bid? Would you still be opposed?

De BRUNNER: We are opposed to prisoners doing this kind of construction work under any circumstances. I don't think, however, that this situation would ever occur, namely that the County would advertise three times for bids. I believe they would get answers the first time they advertised.

ALLEN: I can understand that you are im complete opposition to the bill as it stands. It would take all limitations completely off. However, there may possibly be remote circumstances which might justify relaxing the present statute somewhat. I was just wondering what your attitude would be toward allowing a somewhat higher limit in these unusual cases.

De BRUNNER: My attitude is simply that the County should build its buildings by contract just like anyone else would. If the County wants to use prisoners for work, it can use them on the fire trails for San Diego County and never run out of enough jobs for all prisoners.

ALLEN: I can agree with you on that.

De BRUNNER: That is a good way to treat a prisoner.

BRADLEY: Mr. Hegland has a question.

HEGLAND: When the bill was introduced, the economic situation was quite different.

De BRUNNER: In 1960 we were already beginning our slump; 1959 was our banner year.

HEGLAND: But I mean that in 1960 we weren't anywhere near 10 per cent unemployment.

De BRUNNER: No, but we were heading toward it.

Let me elaborate on the 10 percent unemployment figure. In the building construction industry we had 30 percent unemployment; the only reason unemployment in the industry is not running that high today is that we have lost about 25 percent of our membership. They have simply gone to other areas. At the present time we are running about 10 to 15 percent unemployed in the construction industry, whereas unemployment in San Diego County as a whole is approximately 7 percent. So we are still double the average unemployment.

HEGLAND: Mr. De Brunner, it seems to me that we are not talking about normal force account business. The honor camp situation is a somewhat unique one, because there are no labor costs. In such a case would you feel that the total $8,500 limitation could be applied without breaking it down to $3,500 for materials and $5,000 for labor?

De BRUNNER: As far as we are concerned, Mr. Hegland, construction work should be done by contractors who are in the construction business and not by inmates of a prison. That is our attitude.

HEGLAND: Thank you.

ALLEN: Mr. De Brunner, do you know if the County has ever considered a possible bond issue in order to get this work done?

De BRUNNER: Not that I know of. I agree with you, however, that this is the way the problem should be solved. There should be a bond issue to raise the money to build these camps. The camps should be built in the correct way and not be constructed by prisoners who in some cases may know what they are doing and in some cases may not.

ALLEN: I think we are all in agreement that these honor camps do take a lot of pressure off of the county jails, which can be expensive facilities to construct. Thus from the viewpoint of a citizen and taxpayer, honor camps can reduce the construction and administrative costs of conventional jail facilities considerably.

BRADLEY: Thank you very much, Mr. De Brunner. We will now call upon Mr. Parker.

L. A. PARKER: Mr. Chairman and members of the Committee, my name is L.A. Parker and I represent the Los Angeles Building and Construction Trades Council. I am also a member of the Los Angeles County Vocational Training and Advisory Commission for Prisoners.

I would like to point out that in Los Angeles County we have the same problems that have been mentioned in connection with San Diego County. We have a prisoner population which is bursting all of our jails. Our County Jail was originally built to hold 1700 people and it now contains 3500. We have built camps all over the county

and at present have about 1500 juveniles in camps. The camps which we have built have cost about $1,000,000 a piece, each one holding about 100 inmates. We also have the considerable problem of keeping the inmates busy. We have been doing a very good job at this latter problem, however. The Vocational Training and Advisory Commission has been successful not only in devising ways of keeping juvenile and adult prisoners working in these camps but we have managed to do so without the necessity of relaxing legal limits on honor camp construction projects.

Some time ago it was suggested that inmate labor ought to be used to build buildings and perform other necessary functions in our county prison camps. Apparently the program turned out to be disastrous. In the Wayside Honor Camp, which was our first camp, the inmates began making cement blocks in attempting to build buildings. They also started and finished, after considerable trouble, a million gallon reservoir. Bear in mind that none of these projects were built by a contractor who would have been bonded in order to protect the County. If the reservoir had failed and had flooded a valley or two, I don't know who would ever have heard the last of it. In fact, after the construction industry complained of this activity it was held up for about seven months before concrete was actually poured. Experts went to the site and examined the construction to see that nothing would happen to the reservoir after it was built. As the result of these kind of experiences, the County permits no building of any kind in its camps.

There is also another facet to this situation which must be examined. In the construction industry in 1961, 81.4 workers out of

every thousand were injured. This is one of the highest injury rates in any industry. When a prisoner working on a construction project is injured, he is taken care of. He is taken to a hospital and his injury is treated. However, he has no compensation insurance and receives nothing beyond immediate care. County prisoners are with the county less than a year; the average is about 8 or 9 months in honor camps. After that period of time they are turned loose into the community with whatever injuries they might have. At least a construction worker would have compensation insurance to take care of him for the duration of his injury and convalescence. A prisoner gets none of that.

We have also found that in Los Angeles County we can provide plenty of work for prisoners in these camps. I think such camp facilities are a godsend for prisoners because there they are able to work. In Los Angeles County the prisoners do much work on fire trails. The State law also permits them to do certain labor work, such as road building. The County furnishes the equipment and whatever skilled labor is needed.

As far as the Wayside Camp goes, the building trades people have lifted their objections to inmates making cement blocks. The blocks are pretty crooked but our contractors use them to build the camp buildings. It takes a little longer because they are crooked blocks; you can't lay them as nice and as smooth and as fast as you could with others. They do work, however.

You must also note that in Los Angeles County we are sending about 250 juveniles a month into these camps. Those who are under 16 go to school and those who are over 16 go to work. They work mainly on fire trails and on reforestation. I am proud to say that they do a good job. At our other facilities surgical masks are made for the

county hospitals and clothes are made for prison inmates. There is also a laundry at the prison camp up at Antelope Valley. Bakeries are being set up at one or two camps to take care of the need for baked goods. These are all work projects which do not entail the risk which is involved in constructing buildings. Building construction is a dangerous task to entrust to people who are not skilled.

Even in maintenance work in county prison camps and jail facilities we have found that we cannot trust the prisoners to do the job. I am speaking of such maintenance work as plumbing and electrical work. For the most part, county prisoners are unskilled and thus it would be dangerous to entrust even minor repairs to them. Whenever prisoners are used they work under our own skilled workmen.

If you open this whole situation up with something like AB 192, you have an entirely different situation from the problem of simply using prisoners. I appreciate the problem in San Diego County. We have one camp at Malibu, for example, which is so cold in the winter time that when the boys take their showers they have to turn the hot water on ahead of time to heat up the shower room. These kids have to run barefooted from their barracks to get into the shower. Admittedly it would be nice to have a better one. Our county, however, has the same problem of financing these camps that other counties face in this State. Legislation such as AB 192, however, will open up a Pandora's box and will be the source of poor economy. It will make for poor workmanship and poor maintenance. As you may know, in our county it has been years since we have been able to get a general purpose bond issue passed in order to build such facilities as honor camps. The only way we have been able to accomplish the needed construction is

to do it on long-term lease purchase agreements. This is the manner in which we are building our present jails and other facilities.

BRADLEY: Mr. Allen has a question.

ALLEN: Isn't it true that you people have recently had a bond issue for juvenile facilities?

PARKER: I think this last bond issue probably did pass.

ALLEN: You also had one before - previously.

PARKER: Well, we got a majority vote on that one but we couldn't get the necessary two-thirds vote. That was for the juvenile hall and other juvenile facilities.

ALLEN: At least you people led the fight to get them passed.

PARKER: Right. We have always made a fight for such bond issues.

Let me say this. I think that if San Diego County would set up a vocational training program such as we have in Los Angeles County and would let the labor people participate in it, as well as business interests, it would in considerable measure solve their problem of trying to find suitable productive work for honor camp inmates to do. Take our facilities for training juveniles, for example. We have complete facilities to train juvenile offenders in building trade skills. We have a carpenter shop and an electric shop. We even have old wrecked automobiles for these kids to work on. This is all done, however, after the juveniles have done their regular day's work. This latter program has been under the direction of the County Board of Education.

BRADLEY: Thank you very much, Mr. Parker. Our next witness will be Mr. Christian.

J. J. CHRISTIAN: Mr. Chairman and members of the Committee, my name is J. J. Christian, Executive Secretary of the Los Angeles Building and Construction Trades Council.

It seems to me that there are two points involved in the presentation of the San Diego people. One is the question of rehabilitation and the other is the question of getting the work done cheaply. Mr. Parker has already expressed himself on the subject of our activity in connection with county honor camps. I will not comment further on that subject because he is much better informed on it than I am. I wish to emphasize, however, that we in the building trades movement can think of only one thing. We are supporting, we have supported, and we will continue to support private enterprise. I don't care whether the city, the county, the State or the Federal Government happens to be involved. We continue to support private enterprise as against force account work. It has been said that legislation such as AB 192 will open Pandora's box; this is true. To my knowledge most governmental agencies desire to use force account procedures to get needed work done instead of private contracts. There is only one system of private enterprise in the construction business and that is the contract method. This we support. If this committee permits the broadening of the force account procedures in any way, I think it will lead to every municipality and county, and other political subdivision within the State attempting to do much of their needed work by force account instead of through the normal contract procedure.

I agree that rehabilitation is certainly an important objective. I am personally a member of the California Correction Industries Commission, although I do not appear here as a member of the Commission.

I think, however, that because of this I have some experience in the everyday work of rehabilitation. Indeed the Commission is meeting in San Francisco on the 10th and 11th of December to discuss rehabilitation. My concept of rehabilitation, and I am sure that it is one which is also the laboring man's concept, is that rehabilitation which is provided by governmental agencies should be confined to such activities as the conservation camp program. My experience leads me to believe that there is sufficient employment in such programs to keep all prisoners busy at some kind of productive work.

Furthermore, I cannot conceive of a person becoming acquainted with a trade or a craft in the relatively short length of time in which he is in a county jail or a county honor camp. I hasten to point out, however, that the construction industry has cooperated with the State of California to provide a training program for inmates of State prisons.

I am also impressed with the fact that we have spent a lot of time talking about the situation in San Diego County. There are 58 counties, however, in the State of California. I would like to suggest that the Committee should give serious consideration to what such a situation might mean in the other 57 counties.

I do not wish to take any further time before this committee except to summarize our position. In this respect I believe I can speak for the entire building trades movement in the State of California. We are unalterably opposed to the use of prison labor on construction projects. We strongly support the contract method in free enterprise in that field.

If there are any questions, I will be happy to answer them.

BRADLEY: Apparently there are none, Mr. Christian. Thank you very much.

I might mention in passing that the function of this committee is not to make a final determination on AB 192. We are here only as a study committee. We are trying to ascertain the effect of AB 192 should it be reintroduced.

Our next witness will be Mr. Lee.

JAMES S. LEE: Mr. Chairman and members of the Committee, my name is James S. Lee and I represent the State Building and Construction Trades Council of California.

Some of the things which I may say will be repetitious but I think the repetition will be worthwhile. I believe that it was Mr. Small who emphasized the factor of rehabilitating the inmates in county honor camps. I agree with this principle to the extent that such inmates should be rehabilitated before they are returned to society. As Mr. Christian has stated, however, not only the State Building Trades Council of California but also other segments of organized labor have worked in conjunction with the correctional institutions operated by the State of California to develop an apprenticeship training program within these institutions themselves. At present we are attempting to work with the officers of the women's correctional institute at Corona to develop a program for women. We are interested just as much as anyone else in rehabilitating these people.

There is one factor which I would like to reemphasize: the only proponents for this bill are the representatives of San Diego County. The bill itself, however, is not confined to San Diego County. It would apply to every county in the State of California.

It removes the limitation under which they must operate at the present time, $3,500.

I believe that San Diego County just completed some facilities at one of their camps at a cost of approximately $60,000. This is just one camp within one county. You can imagine what would happen if a bill of this kind should pass and should extend this opportunity to all counties within the State. You are talking about a tremendous amount of construction work. This is not just a piecemeal operation when you look at it from a statewide viewpoint. Perhaps it would start out small, but eventually you would be faced with $60,000 or $75,000 or $100,000 camp projects.

In summary I would like to reiterate we are unalterably opposed to the passage of legislation of this nature. I think that the counties and the various political subdivisions of the State are constantly coming before the Legislature and attempting to increase the force account work which they can do. I do not think that the counties or the political subdivisions of the State should engage in competition with the construction industry. I think this work should be left to private industry.

BRADLEY: Thank you, Mr. Lee.

HEGLAND: Mr. Chairman, I would like to make a brief comment. When I was a freshman legislator I made an effort to see to it that the prisoners' own newspaper, which was edited by prisoners, written by prisoners, and paid for by prisoners, could also be printed by prisoners. I introduced a bill to permit this. The bill didn't go any place because the typographical unions and my fellow newspapermen and publishers opposed the legislation, saying that prisoners shouldn't

be allowed to do typographical work. It seems to me, therefore, that no matter what we have these prisoners do, some segment of private industry is going to be offended. This doesn't deal directly with the present problem but I use it as an example to point out that it is not merely a simple matter of saying, "Let the prisoners do everything except the one thing we are considering."

LEE: Mr. Hegland, I believe that this probably happened some time ago. I would like to point out, however, that the building trades unions throughout the State are constantly receiving letters from inmates who are about to be released and who wish work. I do know that many of these people are put to work due to the efforts of the building trades unions throughout the State of California.

BRADLEY: Thark you, Mr. Lee. Our next witness will be Mr. Harold Ware.

HAROLD WARE: My name is Harold Ware and I am staff representative of the California School Boards' Association. When the question of force account first came up it was brought to our attention. I attended this meeting mainly as an observer to see if any part of the problem would be applicable to the school construction situation. The problem as has been outlined here would not seem to involve us.

BRADLEY: Thank you very much, Mr. Ware.

CHRISTIAN: Mr. Chairman, may I make an additional comment?

BRADLEY: You may proceed.

CHRISTIAN: Although this committee does not study education problems, it might be well to state for the record that through the auspices of the California Association of School Administrators the

contractors and the building trades industry have been trying to work out the problem of force account work within California schools. This effort will continue for some time because it is a controversial subject. There are allegations that contractors cannot be obtained to do many small school jobs. We are working with a very excellent group of school administrators to correct the situation which is hurting them and is hurting private industry, including organized labor.

BRITSCHGI: I would like to ask a question about what organized labor is doing to train, or otherwise aid, people who are in jails and honor camps.

CHRISTIAN: I personally am working very closely with the Parole Division of the Adult Authority and also with the Youth Authority on our rehabilitation program. Whereas we do not welcome letters from inmates directly, we still get our share of them. In most cases, however, we work closely with parole officers. We do have an extensive program to assist parolees and released prisoners to find jobs.

BRITSCHGI: The point I was driving at is whether you would object to sending some of your people into the prisons and into the honor camps to teach some of their trades to the inmates.

CHRISTIAN: We are doing this. As I mentioned, we have an advisory committee which works with the Youth Authority and also with the Adult Authority.

BRITSCHGI: But this is at the State level. Are you doing this in San Diego County?

CHRISTIAN: I don't know. I don't know anything about the situation in San Diego County.

BRITSCHGI: This is a field you ought to get into.

CHRISTIAN: It is not in my jurisdiction.

ALLEN: Is it true that you are furnishing carpenters to supervise the programs at the rehabilitation center of the Youth Authority?

CHRISTIAN: The chances are that we do provide this type of supervision.

BRADLEY: Thank you. Our next witness will be Mr. Robinson.

CHARLES ROBINSON: Mr. Chairman and members of the Committee, my name is Charles Robinson. I represent the Northern District Council of Laborers. This Council covers the 46 northern counties of California.

I want to go on record as being opposed to AB 192. Most of our objections to the bill have already been covered in previous statements but I would like to emphasize that in the building trades industry we have unemployment at a greater level than the national average. In my own particular craft, that of laborers, unemployment in many cases is as high as 35 or 40 percent.

We think that the present bill is too broad. In the first place, in many counties the supervisors and local people already cheat on us. They say that they can do only $3,500 worth of work but who determines just what $3,500 worth of work is? I know of places in which jobs have been done for $3,500 on the basis of which I would certainly like to have a home constructed for a similar price.

I just want to reiterate, however, that we oppose the bill.

BRADLEY: Thank you, Mr. Robinson. Our next witness will be Mr. Ross.

KENNETH ROSS: Mr. Chairman and members of the Committee, my name is Kenneth Ross and I represent the Associated General Contractors.

Mr. Bob Small talked to me and to other representatives of the construction industry when AB 192 was introduced in 1961. In his usual effective and efficient manner he presented his problem to us. We are aware that he does have a problem and we are not unsympathetic to it. We are <u>not</u> sympathetic, however, in the approach AB 192 takes to this problem. In addition, we believe that the lack of support for this measure from other counties indicates that the problem is not present in other California counties. Fortunately we are able to endorse the stand of organized labor and oppose the principle involved in this legislation. We believe that this bill is not good. We believe that major projects would be accomplished if the $3,500 limitation were removed. We believe that the health and safety of prisoners is also involved here and that there would be a temptation to use prisoners to construct projects for which they would be relatively unqualified and in the course of which they would be subjected to various hazards.

We are completely opposed to the principle involved of doing work with prisoners and not through free enterprise. Although using prisoners in this way can at times help solve problems for the correctional people, it does create an additional problem for other governmental agencies. With the employment picture as it is, unemployed residents of the community create additional problems for other governmental agencies and additional costs to the taxpayers. Thus, solving a problem for the corrections people does not necessarily solve it for government. To the extent that it would contribute to

unemployment, it would create other problems for other governmental agencies. In summary I would like to reemphasize, on behalf of the Associated General Contractors, our opposition to the principle implied in AB 192.

BRADLEY: Mr. Ross, just for the record, I thought you said that AB 192 would take the limit off all types of construction in the county. I wish to point out for the record that it would take the limit just off construction in honor camps.

ROSS: Yes, that is correct.

BRADLEY: Thank you very much for your remarks. Our next witness will be Mr. Gordon Dunn.

GORDON DUNN: Mr. Chairman, I am Gordon Dunn, and I represent the Engineering and Grading Contractors Association. I would like to state our endorsement of the presentation previously made by Mr. Ross. I would also like to join with union representatives in their opposition to AB 192. I would like the record to show that I have at one time been a public official who dealt directly with the problem of rehabilitation and the uses of prisoners. While I found that prisoners were excellent in cleaning up mountain camps and preparing summer camps for the public to use, I would hesitate to use them for other types of activity, even including that of picking up debris along the roadside.

I feel that private enterprise can solve this problem in San Diego County. If this exemption is permitted to San Diego County, I believe that it will be a foot in the door and that it will be a big foot in the door. I believe that other political subdivisions, and I am thinking particularly now of soil conservation districts, would

start demanding of county officials the use of prisoners in the conservation work that these types of political subdivisions undertake. I think that those of you who will be in the Legislature next year are going to have to face a great rash of requests to raise force account limits. I do not believe that this type of action will be in the best interests of the general taxpaying public or in the best interest of private enterprise.

BRADLEY: Thank you very much; are there any questions? There being no questions, I will call upon Mr. Small to summarize.

SMALL: In summary and in conclusion I have just three brief points. First of all, I do not want to leave the committee with the impression that San Diego County is trying to evade force account procedure. I can give two examples of this. In the first place, San Diego County within the last month has gone after Federal public works acceleration funds very energetically. San Diego County and the City of San Diego are the only two local agencies in southern California which to my knowledge qualify for this aid. We have gone after this project hammer and tongs in a manner which we would not have done under our own capital improvement program for another four years. We have said to the Federal Government, in effect, "We are ready to go ahead now with this because we recognize the need for more work for private contractors and for labor in the San Diego area. Secondly, in 1961 there was a companion bill to AB 192 - AB 191. This measure passed both Houses but got lost in the Governor's office. This bill would have reduced the amount of force account work done by counties. The legislation specified that on small projects which cost less than $10,000 a county would have the option of using the minor

contract procedure. This procedure does not involve the preparation of detailed plans and specifications and the requirements to go through the full advertising procedure.

I have worked as a budget analyst in the Chief Administrative Office of the County for the last four years. Our department does this force account work and I am just as concerned as anybody else about the tendency to flip a coin and say, "Let's do it by force account." Under the provisions of AB 191, we would have been able to say, "Now look, we have this new $10,000 limitation; let's put some of this stuff out to contract."

In summary, I would like to say that we appreciate the opportunity to appear before the Committee. We feel that we still have a problem and we hope that within the not too distant future we can find some means to solve it.

BRITSCHGI: Mr. Small, have you ever contacted the Construction and Buildings Trade Council in San Diego and talked over this problem with them to see if they could be of any assistance?

SMALL: I have not done so myself but I am informed that the Director of Public Works and other County staff people have done so. As you gentlemen can see from today's proceedings, it is awfully difficult to try to define the problem.

BRADLEY: Assemblyman Thomas has a question.

THOMAS: Your problem in San Diego County does not seem to be rehabilitation. Rather it seems to me that your building program for these camps has a very low priority, isn't that right?

SMALL: That's part of it.

THOMAS: Actually, the Board of Supervisors is not interested in developing these camps.

SMALL: They haven't been up to this point, but, as I said, we have passed the peak of major capital improvement projects. There is some hope, therefore, that increased funds will be available for honor camps.

THOMAS: But you have been stressing rehabilitation. We have been talking about this all morning. This doesn't impress me as the main point of the situation. The main point seems to be the fact that you haven't got the money to build these new buildings.

BRADLEY: Mr. Thomas, as Chairman of the Committee, I have allowed considerable testimony on the broad subject of prisoner rehabilitation. I thought, and I still think, that it was the intent of the proponents of the bill to establish a broad background to justify the need for the present camps. Generally speaking, I do not think there is anyone on this committee, or among the members of the audience, who is not interested in and concerned with prisoner rehabilitation. The direct issue before this committee, however, is whether or not an expansion or elimination of the present statutory limitation of $3,500, as suggested by AB 192, would be a good change in the law. It has been supported both on the grounds that San Diego has a fiscal problem and on the grounds that it would tend to solve a problem of prisoner rehabilitation.

THOMAS: I have one further question. Has the County Supervisors Association taken any stand on this bill?

SMALL: I talked to Mr. Merelman, who is the Legislative Consultant for the Association, last week...

THOMAS: But I mean, have they taken a specific position?

SMALL: No they have not taken any specific position on AB 192.

THOMAS: They haven't endorsed it at all? Apparently they would consider this problem to be essentially a local one.

SMALL: They intend to consider it specifically, however. We intend to take our problem before the committee of the Association which deals with problems in this area. We will appraise you of the results.

BRADLEY: Thank you very much, gentlemen. In the absence of further testimony, the meeting is adjourned.

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